

# EXHIBIT UU

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

NORTHERN DIVISION

Case No. WDQ-02-CV-648

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, :  
Plaintiff, :  
KATHY C. KOCH, :  
Intervenor/Plaintiff, :  
vs. :  
L.A. WEIGHT LOSS CENTERS, INC., :  
Defendant. :  
----- X

Videotaped Deposition of Antonio S. Conway

Washington, D.C.

Wednesday, November 24, 2004

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Job No.: 164295

Reported by: Deborah Larson Hommer, RPR

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1 so I'm just kind of going as I go along trying  
2 to make sure I tell you the right things.

3 It was probably about a week in  
4 between that. Maybe a couple days, four days.  
5 The application did get to the right person.  
6 I was told that I wouldn't be a good fit  
7 because I was, you know, a male, that they  
8 didn't want any males working with women at  
9 that time.

10 Q. Who told you that?

11 A. Mercedes, an employee, Mercedes,  
12 whichever.

13 Q. What was your reaction to what  
14 Mercedes told you?

15 A. At that time it struck me as kind  
16 of odd, but, you know, I figured that it was  
17 policy. You know, given the situation of a  
18 male working with females one on one, I could  
19 understand at that time, but it just didn't --  
20 it didn't really put any fire into me. I just  
21 went, Okay, well, if that's their policy,  
22 that's their policy.

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1 Q. Do you know -- did you ever -- did  
2 you have any discussions with Mercedes  
3 Generett on that subject?

4 A. No. I left it at that. I just  
5 figured it was their policy, and, you know.

6 Q. Did Mercedes say it was the  
7 company's policy?

8 A. At that time, yes, I would say,  
9 because I don't know what she knew. I just  
10 know what I was told. That's all.

11 Q. But you don't know if Mercedes  
12 Generett actually said to you, It is L.A.  
13 Weight Loss' policy to hire women for the  
14 position of counselor?

15 A. Well, I mean, I can't speak for  
16 what she knows as far as policy, but I was  
17 told that it was their policy for males not to  
18 work with females in that setting.

19 Q. Do you know whether Mercedes  
20 Generett spoke to Kim or anyone else about  
21 your application?

22 A. Yes. She spoke with Kim. She told

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1 me that she did speak with Kim, and Kim  
2 relayed to her that the question about as far  
3 as male working with female was told by -- Kim  
4 told Mercedes to tell me that, to relay that  
5 message to me.

6 Q. Mr. Conway, do you have any  
7 experience with weight loss?

8 A. Only in the world of fitness.  
9 That's it, as far as exercising.

10 Q. At the time that you applied to  
11 L.A. Weight Loss -- again, we're talking about  
12 the first two applications, the one that was  
13 lost and the one that was, apparently, not  
14 lost -- had you had any experience with weight  
15 loss at that time?

16 A. No. Just basically dealing with  
17 fitness, recreation, that type of thing, and  
18 people skills.

19 Q. What type of fitness and recreation  
20 are you talking about?

21 A. We're talking anywhere from working  
22 out to fitness aerobics, basketball, leagues,

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1 anything recreation. Basically I set up --  
2 set up leagues -- kids, adults -- and stuff  
3 like that, and the sports. You name it.

4 Q. Do you participate in sports  
5 yourself?

6 A. Yes.

7 Q. So in addition to participating in  
8 sports, I understand from your testimony that  
9 you worked with others in sports-related  
10 activities?

11 A. Yes. Anything from coaching to  
12 instructional.

13 Q. Did you ever speak with anyone by  
14 phone or in person other than Mercedes  
15 Generett about your application?

16 A. Nobody.

17 Q. Now, I would like to jump to the  
18 second application, which is technically the  
19 third application, but the second time that  
20 you applied for a job. You said you don't  
21 recall the exact time that you applied?

22 A. No.